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November 14, 1990

FEDERAL EXPRESS

Ms. Joan Armstrong  
USEPA  
PRP Search Section (3HW11)  
841 Chestnut Building  
Philadelphia, PA 19107

Dear Ms. Armstrong:

Re: Berks Landfill--Sinking Spring, PA

This letter will respond to Peter W. Schaul's letter dated October 18, 1990, requesting information related to the Berks Landfill, Sinking Spring, Pennsylvania.

1. Prior Response

Item 1, page 1 of Mr. Schaul's letter requires that Armstrong provide specific information as to the documents reviewed and how Armstrong came to the conclusion stated in Armstrong's August 14, 1987, response to EPA's Information Request letter that "to the best of our knowledge, no materials were ever shipped to the Berks Landfill."

In October 1984, Armstrong received a letter from Eugene Fredrickson, Chairman, Public Relations Committee, Concerned Citizens of Western Berks County, (copy attached as Enclosure 1) inquiring whether Armstrong had used the Berks Landfill and including three attachments, one of which listed Armstrong on a handwritten note. Armstrong's response to this inquiry was my letter of November 1, 1984 to Mr. Fredrickson, (copy attached as Enclosure 2). In the course of investigating the inquiry, I interviewed a number of Armstrong employees whose responsibilities would have included knowledge of waste disposal arrangements and caused them to review their records.

The following persons were contacted:

- October 12, 1984: Jack Headley, Chief Environmental

Chemist, who reported no knowledge of any shipments of waste from the Lancaster Plant to Berks Landfill for at least since 1980. He stated that shipments of hazardous waste drums were sent to Stabatrol's, New Milford, Pennsylvania, facility in 1980. He checked all known file sources of possible relevance, shipping sheets and manifests and found no Berks shipments or information. Mr. Headley also checked with the Yard Supervisor, Mr. John Nixdorf, who reported no knowledge of any contact with Berks Landfill, Sinking Spring, Pennsylvania.

- October 12, 1984: Earl Boudier, General Supervisor Safety and Services, responsible for waste disposal of materials from the Research and Development and Engineering facilities in Lancaster. He reported no knowledge or records dealing with Berks Landfill and that any of the shipments from his area would have gone to Alabama, Ohio or South Carolina.
- October 12, 1984: Jack Weller, Plant Manager, of Armstrong's Armalock insulation manufacturing plant, Allentown, Pennsylvania. He reported no shipments or file materials regarding Berks Landfill or use of any facility in that area.
- October 12, 1984: William Allison, Purchasing Agent, Lancaster Floor Plant. Mr. Allison's responsibilities included all contractual arrangements for waste disposal and he had handled such matters since the mid-1960s. He reported no recollection of any waste being sent to Berks Landfill and had no records or shipping file information for Berks. The nature and duration of Mr. Allison's responsibilities were such that he would have been the most likely person to know of any contact with any landfill in Central Pennsylvania and would have known of any sources of documents relating to the landfill. He also stated that Armstrong had utilized a New Jersey company for shipments of drummed and bulk hazardous wastes to New Jersey sites prior to 1980 and that for a brief period in 1980 and 1981, shipments were made to Stabatrol in New Milford before switching to a Waste Management site in Alabama and utilizing other out-of-state locations.

On the basis of having conducted the foregoing investigation in October 1984, when the USEPA information request was received in July 1987, the same individuals were again contacted for reverification and updating of

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the information previously obtained. No new information or change in the information previously reported was identified. Each of the questions from the USEPA Information Request letter was noted and no information was identified relative to Berks Landfill. The same individuals were engaged in the same responsibilities. In addition, Mr. Al Adey, Plant Engineer at the Marietta Ceiling Plant was contacted and he confirmed no information relative to Berks Landfill. (Mr. Adey's responsibilities included plant off-site disposal and environmental compliance.) Therefore, Armstrong's August 14, 1987 response to USEPA's July 20, 1987, letter was sent. As the Armstrong attorney whose responsibilities included environmental matters of this type, it was my judgment that the appropriate potential sources of information had been contacted and that no information had come to my attention (nor has any such information subsequently come to my attention) which indicated shipment of disposal of Armstrong materials at Berks Landfill.

2. Response to Questions 1-4, 6 and 7 of USEPA July 1987 Information Request Letter

- a. Question 1: "The types and quantities of the hazardous substances sent to Berks Landfill."

Answer: None

- b. Question 2: "The date(s) such substances were sent to the Berks Landfill."

Answer: None

- c. Question 3: "The state (i.e., liquid, solid or gaseous) of the substances sent to the Berks Landfill, and the manner in which the substances were stored or disposed (i.e., drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.)"

Answer: Not applicable; no substances known to have been sent to Berks Landfill.

- d. Question 4: "Any correspondence between your company and any regulatory agencies regarding such substances."

Answer: None; no correspondence known.

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- e. Question 5: "Any correspondence between your company and any third party regarding such substances."

Answer: Armstrong's August 14, 1987, response to USEPA July Information Request included a copy of the correspondence from and to the Concerned Citizens of Western Berks County (which is also enclosed with this letter as Enclosures 1 and 2 referenced above).

3. Questions Relating To The Periods 1950-1986 On Pages 2 and 3.

1. "EPA obtained information which indicates that Armstrong disposed of waste at the site."

Answer: In response to the statement that "This information indicates that wastes in drums were hauled to the Site by green tractor trailers," it is acknowledged the Armstrong utilized tractor trailers which were green in color to haul solid waste from its Lancaster plant to local landfills (primarily Creswell), until approximately three years ago when the color was changed to brown. I am advised this change was made because Armstrong trucks were being confused with trucks of a waste hauling company reported by local residents to have caused minor property damage incidents (running over curbs, posts, etc.) I raise the duplicative use of green trucks to point out that other non-Armstrong trucks in the central Pennsylvania area could have been mistaken for Armstrong trucks. (It would be helpful if your information source remembered whether the green trucks observed had any lettering or were plain.)

The fact that "wastes in drums" were reported is another factor which brings any Armstrong connection into question. While we have not been advised as to the approximate date or year in which the alleged sighting occurred, Armstrong's drummed wastes would have most likely been liquid or semi-liquid sludge or scrap coating material containing hazardous substances which were all sent out of state to a New Jersey disposal company, Scientific Chemical Processing, ("SCP") with locations in the Newark area, during the period 1971-1980. SCP provided the hauling and disposal using their own trucks to transport the materials (mainly drums and some tank trucks) to New Jersey. Thereafter, some of these materials were sent

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to the Stabatrol site in New Milford, Pennsylvania, from approximately June 1980 through March 1981 when further shipments were sent to Alabama and Ohio locations. Therefore, the alleged disposal of "drums" does not seem to correlate with Armstrong practices from 1971-present. (J. Headley, Chief Environmental Chemist, Lancaster Plant)

"The wastes emitted a strong linoleum oil-based smell."

Without knowing the approximate date of the alleged sighting, it is difficult to pin-down the odor. However, Armstrong discontinued the manufacture of linoleum in approximately 1977. Linoleum would have more of a linseed oil type odor as would any drummed type material from that product. Subsequent materials (particularly drummed liquids) had a much higher solvent-based content (waste coatings) and would have smelled more like a paint thinner odor rather than an oily smell.

"The waste was pushed into the landfill by a cylinder inside the trailer."

According to J. Headley whose duties included waste disposal arrangements from 1980 to present, Armstrong disposal trucks did have a ram devise to push the solid waste out of the trailer from the mid-1970s onward. However, it would not have been utilized to push drummed waste out the back of the trailer or to push waste into the landfill. The ram was used to move solid waste out of the truck.

"Foundry sand was used to cover the waste after it was put into the fill at this Site."

Neither J. Headley nor those individuals he interviewed knew anything about this allegation or could relate in any way to the use of foundry sand in connection with any Armstrong-related waste cover.

The foregoing information in response to the foregoing requested items 1, 2 and 3, was obtained from interviews conducted by J. Headley, Chief Environmental Chemist at the Lancaster Plant, who is responsible for hazardous waste and environmental regulatory compliance, over the period October 28

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through November 13 in which the following current employees and retirees were contacted:

1. William Allison--retired; former Lancaster Plant purchasing agent from the mid-1960s through 1987. Mr. Allison was responsible for contracting for waste disposal services during the entire period and is referred to earlier in this letter as the best source of knowledge for such matters during the period.
2. John Spade--purchasing agent responsible for waste disposal following the departure of William Allison from that position.
3. John Nixdorf (retired)--employed from the mid-1950s through 1989 in yard maintenance work and then supervisor of yard maintenance responsible for assembly and shipment of waste from the Lancaster Plant.
4. Karen Lewis, Yard Supervisor following John Nixdorf, interviewed the following three drivers who had driven trucks carrying waste materials from the Lancaster facility from the early 1970s through the present, all of whom indicated that they had never taken material of any kind to Berks Landfill or even heard of Berks Landfill, Sinking Springs, Pennsylvania:
  - a. Ralph Michael
  - b. Ralph Roland
  - c. Shawn Patterson
5. Al Adey, Plant Engineer, Marietta Ceiling Plant, Marietta, Pennsylvania, was contacted by David Wilson, Associate Counsel, on October 28.

All of the foregoing individuals whose responsibilities currently include waste disposal or where employees of Armstrong during the period in question with such responsibilities, had no information concerning any connection with the Berks Landfill in response to the questions contained in Mr. Schaul's letter dated October 18, 1990. In addition, Mr. Spade reviewed all Lancaster Plant purchasing files on the subject of waste disposal and found nothing regarding the Berks Landfill or any activity related to it.

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2. Relationship With Stabatrol

Armstrong first entered into a contractual relationship with Stabatrol via a series of purchase orders beginning in June 1980 and in addition, a written contract dated January 2, 1981, copies (marked Enclosure 3) enclosed in folder.

- a. Armstrong has had correspondence with Stabatrol and the following copies of such correspondence are included as the following enclosures herewith:

<u>Enclosure</u>	<u>Date of Letter</u>	<u>From</u>	<u>To</u>
4	6/28/79	E. Wasko, PADER	R. Valiga, Stabatrol
5	8/9/79	PADER	Indus. Waste Disposal Appl. Module
6	11/9/79	M.Scornavacchi Stabatrol	W. Allison, Armstrong
7	11/13/79	F. Karl, PADER	J. Rosso, Stabatrol
8	11/15/79	J. Rosso	F. Karl
9	12/4/80	D. Hess, Stab.	W. Allison, Arm.
10	2/26/81 (with Attached Contract)	R. Trees, Arm.	M.Scornavacchi, Stabatrol
11	2/26/81	R. Trees	M. Scornavacchi
12	3/20/81	J. Zorn, Stab.	R. Trees
13	9/11/81	(memo confirming drums in sheds)	
14	9/17/82	J. Headley (material all sent to Emelle, AL)	J. deGroot

- b. Stabatrol provided waste disposal services to Armstrong until acquired by Chemical Waste Management in 1980.
- c. The types of waste to be disposed of by Stabatrol were listed in Enclosure 5 and also described in Enclosure 15, which is marked "Confidential" on each page, included in a separate envelope marked confidential and for which a claim of business confidentiality is asserted by Armstrong pursuant to 40 CFR 2.203.
- d. All Armstrong materials shipped to Stabatrol and subsequently Stabatrol's successor, Chemical Waste

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Management, were placed on a storage pad awaiting placement in designated vaults at the New Milford, Pennsylvania, site. However, the site was closed down by order of the Pennsylvania DER and all Armstrong's drums which were awaiting placement in the vaults were removed by Chemical Waste Management in the summer of 1981 and taken to Waste Management's owned facility in Emelle, Alabama. This was established in the course of discovery in the lawsuit filed by 1985 styled Chemical Waste Management v. Armstrong World Industries, Inc., Civil Action 85-1703 in the U.S. District Court, Eastern District of Pennsylvania, which case was settled by most of the sixteen original co-defendants between 1985 and 1987 and as to Armstrong in 1987.

- e. The ultimate disposal location of the waste was Emelle, Alabama.
- f. The name of the person(s) employed by Stabatrol with whom Armstrong had correspondence was: Mike Scornavacchi, J. Rosso and J. Zorn.

I hope the foregoing information is fully responsive to your inquiry. Should you have any further questions, please do not hesitate to contact me. If you have any further details of any suspected or alleged involvement of Armstrong in connection with the Berks Landfill, please provide me with the specific information and we will look into it further. We wish to be cooperative, but can only respond on the basis of information from available factual sources.

We appreciate USEPA's indulgence in granting the extension of time in which to answer caused by the need to retrieve our litigation files from storage and review the information relative to Stabatrol.

Sincerely,



SLP

Enclosures